

Town of Uxbridge
Planning Board
21 South Main Street
Uxbridge, MA 01569
(508) 278-8600 ext. 2013

JAN 30 '19 PM 2:54

Received by
Uxbridge
Town Clerk

TOWN OF UXBRIDGE
SPECIAL PERMIT for a SELF STORAGE FACILITY
FY19-08, 300 MENDON STREET
PLANNING BOARD DECISION

Date: January 23, 2019

Name of Owner/Applicant: TDJ Materials, LLC/James Berkowitz

Address of Owner/Applicant: 279 Douglas Street, P.O. Box 90
Whitinsville, MA 01588

Name of Owner/Applicant: Gerald A. & Mary L. Lemire

Address of Owner/Applicant: 284 Mendon Street
Uxbridge, MA 01569

Location of Property: 300 Mendon Street, Uxbridge, MA 01569

Assessors Maps/Parcels: Map 19, Lots 2413, 2467, & 2475

Deed Books/Pages: Deed Book 46744 Page 217
Deed Book 49951 Page 357
Deed Book 45280 Page 83

Site Plan Dated: September 5, 2018; Last revised November 30, 2018

Engineer or Land Surveyor: Andrews Survey & Engineering, Inc.
104 Mendon Street/P.O. Box 312
Uxbridge, MA 01569

Zoning District(s): Residential B and Waucantuck Mill Adaptive Reuse Overlay District;
Also, Zone II Wellhead Protection Area

BACKGROUND/SUMMARY

On October 4, 2018, an application was received, by the Planning Board and duly filed with the Uxbridge Town Clerk, for a Special Permit to construct eight (8) self-storage buildings totaling 102,000 ± square feet in addition to one (1) sales/office building, along with associated utilities, paving and earthwork, within the Waucantuck Adaptive Reuse Overlay District (WMROD), per UZBL §400-40, and in Res-B zone, at 300 Mendon Street, Uxbridge, MA.

The site is comprised of four (4) parcels of land situated near the corner of Mendon Street (Rt. 16) and West River Road. Most of the project will be sited on Map 19 Parcel 2413 but portions of Map 19, Parcel 2467; Map 19, Parcel 2475; and the parcel known as Nicholas Way will be utilized for the project. Existing property lines are proposed to be reconfigured as part of the project. The main portion of the site is the former location of an approved subdivision that was never constructed but had a significant amount of earthwork performed; earth removal. The property is bound on the north by land owned by the Town of Uxbridge that is used as recreational land and contains ball fields and Pout Pond; on the east by residences along West River Road, on the south by Mendon Road (Rt. 16); and on the west by a single large residential property.

The site is located within a mapped Zone II Wellhead Protection Area so the stormwater management system is designated to treat the volume of water equivalent to 1.0" times the proposed impervious area and 80% TSS removal prior to discharge.

The property is not located within the 100-year flood plain (Zone A) according to the current Flood Insurance Rate Map (FIRM) Panel 25021C0302E (dated July 17, 2012), as shown in the Appendix.

According to the most current GIS mapping of the Mass. Natural Heritage Atlas, Priority Habitat of Rare Species and Estimated Habitat of Rare Wetlands Wildlife is not located on or bordering the property. No known Areas of Critical Environmental Concern (ACEC) are located on or bordering the property.

Notice of the Public Hearing was scheduled and published in the "Worcester Telegram & Gazette" on October 10, 2018 and October 17, 2018, posted in the Uxbridge Town Hall, and abutters were notified by way of certified mail. The Public Hearing was opened on October 24, 2018, continued through a span of meetings, and ultimately closed on December 19, 2018.

The properties contain approximately 12.1± acres of land and are shown on the Uxbridge Assessor's Map 19, Lots 2413, 2467, & 2475. The deed for said parcels are recorded in the Worcester Registry of Deeds Books 46744, 49951, & 45280, Pages 217, 357, & 83 and said land is free from encumbrances. The site lies within Residential B zone, and WMROD.

FILINGS

The Planning Board has received the following written materials:

1. The application submitted by Andrews Survey & Engineering, Inc. on behalf of TDJ Materials, LLC and Gerald A. & Mary L. Lemire, consisted of a Special Permit Application Form, Stormwater Management Narrative & Report and Operations Maintenance Plan, a copy of the Quitclaim Deeds, a copy of the Application for Certified Abutters List, a copy of the Abutters List Report, Locus Map, associated fees, and a Site Plan.
2. Plans, titled SELF-STORAGE FACILITY, prepared by Andrews Survey & Engineering, Inc., dated September 5, 2018 with a final revision date of November 30, 2018, included the following plan sheets:
 - C1 COVER SHEET
 - C2.1 – C2.2 LEGEND, ABBREVIATIONS, GENERAL NOTES
 - C3 EXISTING CONDITIONS PLAN
 - C4 PROPOSED PROPERTY PLAN
 - C5 DEMOLITION PLAN
 - C6 SITE LAYOUT PLAN
 - C7 UTILITY PLAN
 - C8.1 – C8.2 GRADING & DRAINAGE PLAN
 - C9.1 EROSION & SEDIMENT CONTROL PLAN
 - C9.2 – C9.3 EROSION & SEDIMENT CONTROL PLAN NOTES
 - C10.1 – C10.7 CONSTRUCTION DETAILS
 - L1 LANDSCAPING PLAN & DETAILS
 - P1 PHOTOMETRIC PLAN
3. File Correspondence & reviewed documents:
 - dated 09/05/18 & last revised 11/30/18 Stormwater Narrative & Management Report
 - dated 10/23/18 Graves Engineering Review #1
 - dated 12/18/18 Graves Engineering Review #2
 - dated 10/23/18 Comments from the Fire Chief
 - 2016 F.A.T.M. Minutes
 - 2016 F.A.T.M. graphic & exhibit
 - 2016 F.A.T.M. Warrant Article
 - UZBL rev. 10/23/18
 - Town Planner & Town Counsel comments
 - Numerous abutter comments, emails, & letters

DECISION

MOTION: to endorse the Special Permit for TDJ Materials for a self-storage unit, 300 Mendon Street with the hours of operation left up to the applicant made by Mr. Hauck. Motion was seconded by Mr. Laverdiere. Motion carried 4-0-0.

FINDINGS

In granting the Special Permit with conditions, the Board determines that any adverse effects of the proposed use of land will not outweigh its beneficial impact to the Town and use of a property located in the W.A.R.O.D., in view of the particular characteristics of the site and of the proposal in relation to that site. The Board has also taken into consideration the following:

1. The social, economic and community needs which are served by the proposal are positive.

The proposed self-storage and office based on the submitted materials together with all associated parking, facilities and infrastructure has been located in a manner consistent with the Uxbridge Zoning Bylaw, §400-20 and §400-40, Appendix A Table of Use Regulations, and Article X Definitions of the Uxbridge Zoning By-Law.

2. There is little to no impact on traffic flow and safety, including parking and loading.

There are 6 proposed parking spaces with minimal traffic flow due to the nature of the business.

3. There is little to no impact on utilities and other public services.

There will be minimal demands placed on Town services and infrastructure. The property owner will be responsible for site/infrastructure maintenance, waste disposal, snow removal and storage, landscaping, maintenance of paved areas, lighting, and curbing.

4. There is little impact on the neighborhood character and social structures.

The project is located in the Waucantuck Adaptive Reuse Overlay District in Residential B zone. The property owner will be required to provide similar architecture, and signage along with an adequate landscaping/screening and maintenance plan to be approved by the Planning Board prior to the start of construction.

5. There will be a positive impact on the natural environment.

The proposed project will have stormwater management, which meets or exceeds the DEP Protection Stormwater Management Standards. There will be erosion and sedimentation controls in place during construction.

6. The potential fiscal impact on Town services, tax base and/or employment is positive.
The project will provide additional revenue for the Town with no impact on Town services or the school system.
7. Pursuant to Uxbridge Zoning Bylaw 400-20G, the Planning Board finds that the application, with Conditions, meets each of the required traffic, environmental, community, and fiscal standards as stated in Findings 1-6. The Planning Board also finds that the application, with Conditions, as a whole, substantially conforms to the intent of the Bylaws and proposes an appropriate and beneficial development to the site.

CONDITIONS

1. The Applicant shall comply with all applicable laws, regulations, and permit conditions required by the Planning Board, Conservation Commission, Board of Health, Building Department, Fire Department, Department of Public Works and all other departments and agencies for this project.
2. The Applicant shall adhere to the conditions noted on the approved Plan.
3. The Applicant shall address all Engineer review comments, to the satisfaction of the Planning Board, prior to the start of demolition and/or construction.
4. Access roads must be at least twenty (20) feet wide with no parking or thirty (30) foot lanes, per the recommendation of the Fire Chief. Each lane shall provide an access/egress point that provides for an adequate turning radius for Fire Apparatus.
5. The Applicant shall provide a full landscaping and maintenance plan as deemed necessary and approved by the Planning Board.
6. The Applicant shall seek approval of the Planning Board on all architecture, signage, lighting, and building elevations prior to the start of construction
7. Prior to the start of construction, the Applicant must notify the Planning Board and schedule a pre-construction meeting and provide contact information of site supervisors/contractors.
8. Applicant shall provide and maintain engineering review monies for inspections/reviews throughout construction in an amount to be determined by the Planning Board.

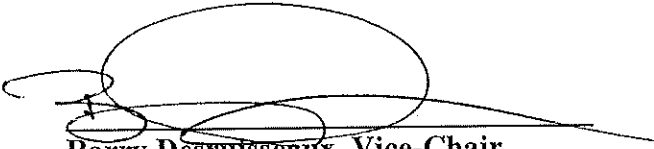
9. The Special Permit, including any attachments or appendices thereto shall be recorded at the Worcester Registry of Deeds within six (6) months or this Special Permit will become null and void. Said time shall not include such time required to pursue or await the determination of an appeal referred to in M.G.L. Chapter 40A, Section 17. The Applicant shall submit evidence of such recording to the Planning Board.
10. This Special Permit shall lapse in three (3) years on January 24, 2022, the filing date of the Special Permit approval, if a substantial use thereof has not commenced, except for good cause, or in the case of a permit for construction, if construction has not begun by such date except for good cause. Said time shall not include such time required to pursue or await the determination of an appeal referred to in M.G.L Chapter 40A, Section 17.
11. Construction hours of Operation shall be 6:00 a.m. to 6:00 p.m. Monday – Friday and 8 a.m. to 4:00 p.m. on Saturdays. No Sunday or holiday work.
12. Hours of operation shall be set by the Applicant.

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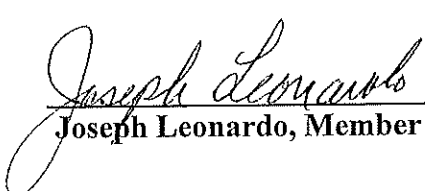
SAID SPECIAL PERMIT APPROVAL IS GRANTED PURSUANT TO M.G.L. CHAPTER 40A, SECTION 9. APPEALS FROM THIS DECISION SHALL BE MADE PURSUANT TO MASSACHUSETTS GENERAL LAWS CHAPTER 40A, SECTION 9.

UXBRIDGE PLANNING BOARD

James Smith, Chair


Barry Desruisseaux, Vice-Chair

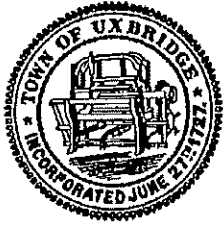

Eli Laverdiere, Clerk


Joseph Leonardo, Member


Barry Hauck, Member

January 23, 2019

Date



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I hereby certify that twenty (20) days has elapsed from the date this decision was filed and that no appeal has been filed in this office.

A true copy: ATTEST

Town Clerk/Assistant Town Clerk
(Town Seal Affixed)

Date